



Attorney Docket No. T9376.DIV1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: PETER PAL VARGA et al.)
TITLE: INTERVERTEBRAL SPACING)
IMPLANT SYSTEM)
SERIAL NO.: 10/055,673)
FILED: January 22, 2002) RESPONSE A WITH AMENDMENT
EXAMINER D. Willse)
ART UNIT: 3738)
RECEIVE SEP 09 2003
TECHNOLOGY CENTER R

RECEIVED
SEP 09 2003
TECHNOLOGY CENTER R3700

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Responsive to the Office Action, Paper No. 4, mailed February 26, 2003, applicants request entry of this Response A With Amendment and reconsideration of the above-captioned application. This response addresses every ground of rejection set forth in the Office Action.

Certificate of Deposit Under 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the 28 day of August, 2003.

Karl R. Cannon
Karl R. Cannon

09/04/2003 AADOF01 00000021 10055673
01 FC:2201 924.
02 FC:2202 261.

A shortened statutory period for response of three (3) months was set for response to the Office Action. Accordingly, a Petition for a three-month extension of time and check no. 6706 appropriate in amount to cover the corresponding fee are also enclosed.

New claims have been added, including twenty-two (22) independent claims and seven (7) dependent claims for a total of twenty-nine (29) new claims. Accordingly, enclosed is a captioned paper entitled "FEE TO COVER ADDITIONAL CLAIMS ADDED BY AMENDMENT", and check no. 6708, appropriate in amount to cover the corresponding fee for these additional claims.

Also enclosed is a captioned paper entitled Notification of Error in Spelling of inventor's Name and Request to Change Inventor Name from James A. Ogilvie to James W. Ogilvie.